

EXHIBIT 9

Buonforte, Mary Ann

From: Macaulay, Angus H. <AMacaulay@nexsenpruet.com>
Sent: Monday, November 29, 2021 2:47 PM
To: 'Robert Dodson'
Cc: Svedberg, Sara S.; Clark, Brittany N.
Subject: RE: Hawkins v. ODC et. al. [IWOV-NPCOL1.FID2294751]

Robert – in following up on our November 22nd email below and as continued “meet and confer” as required by the Federal Rules,

- We will withdraw our demand that you supplement your responses to RFPs Nos. 1-4 and 6; and
- We will withdraw our demand that you supplement your responses to Interrogatory Nos. 10, 14 and 16.

With regard to a privilege log, we do not require that you provide a log which lists “direct communications between you and [your] client,” per page 2 of your letter. However, we do believe that such a log should be provided for any such other communications between your client and, for example, Mr. Virzi (assuming you contend such communications are privileged).

Please let me know if you have any questions.

Thanks, Angus

Angus H. Macaulay
Member
Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, SC 29201
PO Drawer 2426 (29202)
T: 803.253.8279, F: 803.727.1465
AMacaulay@nexsenpruet.com
www.nexsenpruet.com

NEXSEN PRUET

N E X S E N P R U E T

From: Macaulay, Angus H.
Sent: Wednesday, November 24, 2021 4:09 PM
To: 'Robert Dodson' <rdodson@rdodsonlaw.com>
Cc: Svedberg, Sara S. <SSvedberg@nexsenpruet.com>; Clark, Brittany N. <BClark@nexsenpruet.com>
Subject: RE: Hawkins v. ODC et. al. [IWOV-NPCOL1.FID2294751]

Robert – please allow this email to serve as a response to your November 22, 2021 correspondence regarding your clients’ discovery responses. Please consider this communication as continued “meet and confer” as required by the Local Rules.

Thank you for agreeing to supplement your responses to Interrogatory Nos. 19 and 20, per page 2 of your letter. We look forward to reviewing your responses.

With regard to Interrogatory Nos. 5-9, 11-13, 15, 17, 18 as well as RFPs 7-10, we respectfully disagree with your position for several reasons:

- First, we understand from your letter that Mr. Virzi objected to “similar documentation and information related to [ODC’s] investigation” (page 1 of your letter). Any possible objections to discovery requests during ODC’s investigation are not automatically objectionable in this federal court proceeding.
- Second, while we understand that Mr. Hawkins may have ultimately approved of the ads at issue (page 2 of your letter), we believe that Defendants have the right to discover information about how those ads were created, the creative decisions that went into the production of those ads, discussions that were had about choice of actors, scripts, etc.... We do not believe that Mr. Hawkins was the sole person who conceived, scripted, and produced the ads in question and chose the actors for those ads. This has no connection to any “bootstrapping” of additional charges, as you suggest on page 2 of your letter.
- Finally, you also object to the above-referenced discovery on the basis that the information sought is “confidential and proprietary.” We believe that this concern can be cured by a confidentiality order.
- For these and previously stated reasons, we request that you supplement your responses to Interrogatory Nos. 5-9, 11-13, 15, 17, 18 and RFPs 7-10.

With regard Interrogatory Nos. 22 and 23, please supplement these responses as well.

Please let me know, by the close of business on Monday, November 29th, if you will supplement your responses as stated above and if you will agree to a confidentiality order.

We are seeking authority from our client with regard to the following:

- Your failure to produce a privilege log based upon your assertion that “only documents being withheld are direct communications between you and [your] client,” per page 2 of your letter.
- Your responses to RFPs 1-4 and 6.
- Your responses to Interrogatory Nos 10, 14 and 16.

We will inform you before the close of business on Monday, November 29th as to these specific discovery requests.

We hope that you and your family have a great Thanksgiving.

Angus

Angus H. Macaulay
Member
Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, SC 29201
PO Drawer 2426 (29202)
T: 803 253 8279, F: 8037271465
AMacaulay@nexsenpruet.com
www.nexsenpruet.com

NEXSEN PRUET

N E X S E N P R U E T

From: Robert Dodson <rdodson@rdodsonlaw.com>
Sent: Monday, November 22, 2021 3:08 PM
To: Macaulay, Angus H. <AMacaulay@nexsenpruet.com>
Subject: Hawkins v. ODC et. al.

{EXTERNAL EMAIL}

Angus,

Please see attached. I'm happy to discuss in further detail if you think that would be useful. I'm also happy to discuss any other issues aside from discovery.

Best regards,

Robert D. Dodson, Esquire
Law Offices of Robert Dodson, P.A.
1722 Main Street, STE 200
Columbia, SC 29201
(803) 252-2600

*** FIRM CONFIDENTIAL COMMUNICATION *** This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments. If you reply to this message, Nexsen Pruet, LLC may collect personal information including your name, business name and other contact details, and IP address. If you have any questions, please contact Privacy@nexsenpruet.com.